

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

_____)	
HEALTH ALLIANCE)	
MEDICAL PLANS, INC.,)	
)	
Plaintiff,)	Case No. 20-565
)	
v.)	Judge Campbell-Smith
)	
THE UNITED STATES,)	
)	
Defendant.)	
_____)	

JOINT STATUS REPORT

Pursuant to the Court’s July 18, 2023 order (ECF No. 36), the parties respectfully submit this joint status report. The July 18 order continued the stay in these proceedings and directed the parties to file a joint status report on August 1, 2023 and every 45 days thereafter.

As stated in the parties’ previous joint status report, counsel for the parties have continued to engage in productive settlement negotiations regarding this and other cost-sharing reduction (CSR) cases currently pending before this Court. The parties most recently exchanged letters on September 7 and September 19. In light of those communications, the parties believe that they have reached a tentative agreement in principle on a methodology by which the parties can settle some of these CSR cases. This methodology must, however, be approved by officials at both the Department of Health and Human Services and the Department of Justice. In addition, the parties will need to gather relevant data from plaintiff-insurers from past benefit years in order to calculate whether damages may be owed to a given insurer for a given year. The Centers for Medicare and Medicaid Services is currently preparing a process for plaintiff insurers to submit relevant CSR data. Once that data is gathered and analyzed, plaintiffs will

have the option of participating in the proposed settlement process or continuing instead with litigation.

Accordingly, the parties jointly request that the Court continue the stay in this case, and, pursuant to the Court's July 18 order, the parties will file a Joint Status Report on or before December 14, 2023 to update the Court on the status of their efforts to fully resolve this matter.

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